

**FEDERAL ELECTION COMMISSION**  
**999 E Street, N.W.**  
**Washington, D.C. 20463**

**FIRST GENERAL COUNSEL'S REPORT**

**SECRET**

MUR: 5515  
COMPLAINT FILED: August 18, 2004  
RESPONSE RECEIVED: None  
DATE ACTIVATED: November 18, 2004

EXPIRATION OF SOL: August 16, 2009

COMPLAINANT: Kerry-Edwards 2004, Inc.

RESPONDENTS: Renee Jones  
Jeff Rich  
Rich Foundation, Inc.  
and/or Persons Unknown

RELEVANT STATUTES: 2 U.S.C. § 441h(b)  
18 U.S.C. § 1341  
18 U.S.C. § 1343

INTERNAL REPORTS CHECKED: Disclosure Reports

FEDERAL AGENCIES CHECKED: Department of Justice<sup>1</sup>

**I. INTRODUCTION**

This matter arises from a complaint filed on August 18, 2004 by Kerry-Edwards 2004, Inc. Complainant alleges that a Renee Jones, Jeff Rich, and the Rich Foundation, Inc. are violating 2 U.S.C. § 441h(b) by fraudulently misrepresenting themselves as acting on behalf of Senator John Kerry for the purpose of soliciting funds. Compl. at 2.

**II. FACTUAL BACKGROUND**

Complainant bases its complaint on information obtained from of  
Vero Beach, Florida. contacted the Kerry-Edwards 2004, Inc. committee to  
alert it to a telephone call she received from a person claiming to be from the "Senator  
John Kerry Lotto Payout Center." She told Complainant that the caller had her social  
security number on file. was told that she had won \$1,500,000, but to collect  
the money she was told she had to wire \$500 via Western Union.

requested written documentation and was faxed an information sheet  
from Renee Jones of the Rich Foundation, Inc., 24 Duke Street, Kingston, Jamaica, West  
Indies. Compl. Exh. A. The fax indicates that Renee Jones is the "Foreign Service  
Manager" for the Rich Foundation, Inc. The fax also contains the signature of Jeff Rich  
who is listed as "The Promotions Manager, Senator John Kerry Sweepstakes Lottery."  
She forwarded this documentation to Complainant and provided her phone numbers and  
authorized Complainant to pass her contact information on to the Commission.

Notifications of the complaint were sent to Jones, Rich, and the Rich Foundation  
at the address in Jamaica. They were returned. We have been unable to locate Renee  
Jones, Jeff Rich, or the Rich Foundation, Inc. through publicly available sources.

**III. ANALYSIS**

2 U.S.C. § 441h(b) prohibits a person from fraudulently misrepresenting herself  
as "speaking, writing, or otherwise acting for or on behalf of any candidate ... for the  
purpose of soliciting contributions or donations." 2 U.S.C. § 441h(b).

As told Complainant, the caller purported to be from the Senator John  
Kerry Lotto Payout Center, clearly identifying a federal candidate and suggesting an

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1 association with that candidate. Compl. at 1. Furthermore, upon request, the  
2 caller had a fax sent to from the "Senator John Kerry Lotto Payout Center."  
3 The fax informed that she was a winner of the "Senator John Kerry Sweepstake  
4 Lottery."

5 Although the fax does not solicit any money, Renee Jones told in their  
6 phone conversation that she must wire \$500 via Western Union in order to claim the  
7 prize. The fax does tell to keep the payout "strictly from public notice until  
8 [her] claim has been processed." Compl. Exh. A.

9 Based on the information presented by and in the fax sent to her by the  
10 Rich Foundation Inc., we recommend the Commission find reason to believe that Renee  
11 Jones, Jeff Rich, and the Rich Foundation, Inc. have violated 2 U.S.C. § 441h(b) by  
12 representing themselves to be acting on behalf of John Kerry. They fraudulently  
13 represented an association with Senator John Kerry and solicited money using Senator  
14 John Kerry's name. Given the nature of the scheme, it is also highly possible that "Jeff  
15 Rich" and "Renee Jones" are pseudonyms or aliases and that there may turn out to be no  
16 "Rich Foundation, Inc." Accordingly, we recommend the Commission find reason to  
17 believe that unknown respondents violated section 441h(b).

#### 18 IV. INVESTIGATION

19 The investigation of this matter will involve locating the respondents, confirming  
20 their identities, and determining facts about their activities.

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20 V. **RECOMMENDATIONS**

21 1. Find reason to believe that Renee Jones, Jeff Rich, the Rich Foundation,  
22 Inc. and/or Persons Unknown violated 2 U.S.C. § 441h(b);

23 2.  
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3. Approve the attached Factual and Legal Analyses; and

4. Approve the appropriate letters.

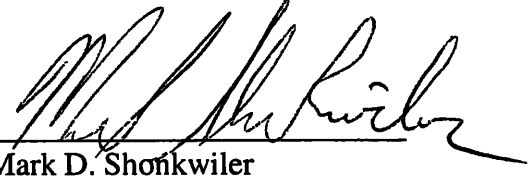
Lawrence H. Norton  
General Counsel

Lawrence Calvert, Jr.  
Deputy Associate General Counsel  
for Enforcement

Date:

12/17/04

BY:



Mark D. Shonkwiler  
Assistant General Counsel



Audra L. Wassom  
Attorney

Attachment: Factual and Legal Analysis

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